



## **Press Release**

# **National Labor Relations Board**

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### **NLRB CASE PRODUCTION IN FY 2009**

Washington, DC -- Although constrained by ongoing vacancies, the two sitting members of the National Labor Relations Board (NLRB) were able to issue 256 decisions in contested cases during Fiscal Year 2009, which ended on September 30. Of this total, 195 were unfair labor practice cases and 61 were representation cases.

At full strength, the Board has five Members, appointed by the President and confirmed by the Senate. However, since January 1, 2008, it has operated with only two members: Chairman Wilma B. Liebman and Member Peter C. Schaumber. Member Schaumber served as Board Chairman through January 19, 2009. Nominations for the three vacant seats are now pending before the Senate.

Drawing on advice from the U.S. Department of Justice's Office of Legal Counsel, the two remaining members, acting as a quorum of a three member board, have continued to issue decisions on matters on which they agree. All cases have been decided on the basis of existing precedent, but many raise issues of significance. Even with this effort, the inventory of pending cases rose slightly, from 171 at the beginning of FY 2009 to 193 at the end of it.

Chairman Liebman credited her colleague, Member Schaumber, and the dedicated work of the Board's career professionals with the Board's success in continuing to carry out its statutory mission to the fullest extent possible under these unusual circumstances.

The NLRB is an independent federal agency created by Congress in 1935 to administer the [National Labor Relations Act](#), the primary law governing relations between unions and employers in the private sector. The statute guarantees the right of employees to organize and to bargain collectively with their employers, and to engage in other protected concerted activity with or without a union, or to refrain from all such activity.

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